

New Laws Affecting Tanning Facilities on July 1

The Indiana General Assembly enacted legislation last session which makes changes to the tanning industry. The new regulations are below:

➤ Beginning July 1, 2014, pursuant to IC 25-8-15.4-16 **no one** under the age of sixteen (16) years of age may use a tanning device in a tanning facility. Anyone at least sixteen (16) years of age but less than eighteen (18) years of age **may not** use a tanning device in a tanning facility **unless** the parent or guardian signs a written statement under IC 25-8-15.4-11 in the presence of the operator of the tanning facility as follows:

Before a person uses a tanning device in a tanning facility, the operator, owner, or employee of the operator or owner of the tanning facility shall require the person to read and sign a written statement approved by the board that contains the following information:

(1) A person who uses a tanning device in this tanning facility must use protective eyewear.

(2) If the provided eye protection is not worn, use of a tanning device in this tanning facility may cause damage to the eyes.

(3) Overexposure to the ultraviolet radiation produced by a tanning device in this tanning facility may cause burns.

(4) Exposure to the ultraviolet radiation produced by the tanning devices in this tanning facility may cause premature aging of the skin and skin cancer.

(5) Abnormal skin sensitivity to ultraviolet radiation or burning may be caused by certain foods, cosmetics, or medication, including the following:

(A) Tranquilizers.

(B) Diuretics.

(C) Antibiotics.

(D) High blood pressure medication.

(E) Birth control medication.

(F) Other photosensitizing agents as determined under rules adopted by the board.

(6) A person who is taking a prescription drug or an over-the-counter drug should consult a physician or pharmacist before using a tanning device.

➤ Beginning July 1, 2014, IC 25-8-15.4.12 requires that tanning facilities **prominently** display a sign approved by the board in a manner that is clearly visible to a person using the tanning devices in the tanning facility. The board requires the following be indicated on the sign.

(1) A warning sign shall be posted in each tanning facility room where customers arrange for the use of a sunlamp product, in each tanning facility room where customers wait to use a sunlamp product, and in the immediate proximity of and no less than one (1) meter or thirty-nine (39) inches from each sunlamp product. The warning sign shall be readily legible, clearly visible, and not obstructed by any barrier, equipment, or other item present so that the customer can easily view the warning sign before energizing the ultraviolet light generating equipment. The warning sign shall meet the following requirements:

(A) The uppercase letters on the warning sign in the room where the customers pay for the use of a sunlamp product and in the room where the customers wait to use a sunlamp product shall be at

least eighteen (18) millimeters or eleven-sixteenths (11/16) inch tall and the lowercase letters shall be at least thirteen (13) millimeters or one-half (1/2) inch tall.

(B) The uppercase letters on the warning sign in the immediate proximity of the sunlamp product shall be at least ten (10) millimeters or seven-sixteenths (7/16) inch tall and the lowercase letters shall be five (5) millimeters or one-fourth (1/4) inch tall.

(2) The warning signs required by subdivision (1) shall state the following:

WARNING: ULTRAVIOLET RADIATION

FAILURE TO USE PROTECTIVE EYEWEAR MAY RESULT IN SEVERE BURNS OR LONG-TERM INJURY TO THE EYES

- 1. Protective eyewear is required by law.*
- 2. Follow instructions.*
- 3. Avoid overexposure. As with natural sunlight, exposure can cause eye and skin injury and allergic reactions. Repeated exposure may cause skin cancer or chronic sun damage characterized by wrinkling, dryness, fragility and bruising of the skin.*
- 4. Ultraviolet radiation from sunlamps will aggravate the effects of the sun. Therefore, do not sunbathe before or after exposure to ultraviolet radiation.*
- 5. Medication or cosmetics may increase sensitivity to ultraviolet radiation. Consult a physician before using a sunlamp if you are using medications, have history of skin problems, or believe you are especially sensitive to sunlight. Individuals on birth control medication who use this product may develop discolored skin.*

IF YOU DO NOT TAN IN THE SUN IT IS UNLIKELY THAT YOU WILL TAN FROM THE USE OF THIS DEVICE

Any questions about these new laws, please contact the Cosmetology Board at (317) 234-3031 or via email at pla12@pla.in.gov. There is also additional information about the board and licensing requirements at <http://www.in.gov/pla/cosmo.htm>.